<u>REMARKS</u>

The above amendment is made in response to the Office Action mailed June 16, 2004. Claims 1-33 are pending in the present application and stand rejected. Claim 1 has been amended. Claim 12 has been cancelled. The Examiner's reconsideration is respectfully requested in view of the above amendment and the following remarks.

The Examiner states that claims 1-11 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable by <u>Cai</u> (U.S. Patent No. 6,501,999) and <u>Inoue</u> (U.S. Patent No. 4,954,945). Applicants believe the Examiner meant to say that claims 1-11 and *13-33* stand rejected as being unpatentable by <u>Cai</u> and <u>Inoue</u>. Clarification is respectfully requested. Nevertheless, the amendments to the independent claims above are believed to place the claims in a condition for allowance.

Amended claim 1 claims, *inter alia*, "wherein said scheduler is further adapted to send a first request interrupt for execution of the given task to one of the at least two processing units in an order based on an attribute list; wherein said one of said at least two processing units are further adapted to return one of an accept interrupt and a reject interrupt to said scheduler in response to said first request; wherein said scheduler is further adapted to send a second request interrupt for execution of the given task to an other of the at least two processing units in the order based on the attribute list, if said scheduler receives the reject interrupt from said one of said at least two processing units." It is respectfully submitted that the combination of <u>Cai</u> and <u>Inoue</u> does not teach or suggest at least the limitations recited above.

Amended claim 14 claims, *inter alia*, "wherein said scheduler is adapted to schedule the given task in an order based on an attribute list, wherein the attribute list

comprising a plurality of attributes, said plurality of attributes comprising (a) a task identification number of the given task, (b) a quantity of said plurality of processing units capable of executing the given task, (c) a processor identification number for each of the quantity of said plurality of processing units capable of executing the given task, (d) an address of the location of the given task associated with each of the of the quantity of said plurality of processing units capable of executing the given task; and (e) a worst case quantity of processing unit cycles for timely executing the given task for each of the quantity of said plurality of processing units capable of executing the given task." It is respectfully submitted that the combination of Cai and Inoue does not teach or suggest at least the limitations recited above.

Amended claim 24 claims, *inter alia*, "wherein the scheduler is adapted to send a request interrupt to each of the at least two processing units in an attribute list, one processing unit at a time, for requesting whether the each of the at least processing units is capable of executing the given task; wherein the scheduler is adapted to send the request interrupt to each of the at least two processing units in the attribute list until one of (a) the one processing unit sends an accept interrupt to the scheduler accepting the given task, and (b) all of the at least two processing units in the attribute list send a reject interrupt to the scheduler rejecting the given task." It is respectfully submitted that the combination of Cai and Inoue does not teach or suggest at least the limitations recited above.

Amended claim 31 claims, *inter alia*, wherein the processing capability information comprises (a) processing requirements of a given task, and (b) processing capability for at least some of the plurality of processing units for executing the given task."

It is further submitted that the Examiner has not addressed each and every limitation of the claim. For example, the Examiner simply quotes, but does not address, "a scheduler adapted, for the given task, *to retrieve at least some of the processing capability information from said processor attribute table in one of a partial order and a strict order of descending energy efficiency until one of the plurality of processors is found to possess adequate processing capability with respect to task processing requirements for the given task*," as claimed in claim 31. Even assuming, *arguendo*, that <u>Inoue</u> discloses the "processor attribute table" of claim 31, the Examiner has not explained how the prior art indicates motivation for one skilled in the art at that time for the scheduler of <u>Cai</u> to retrieve unrelated and unnecessary information from the "busy" flags of <u>Inoue</u>. The "busy" flags of <u>Inoue</u> are not of concern to the processor arbitration mechanism of <u>Cai</u>.

It is additionally submitted that the motivation to combine <u>Cai</u> and <u>Inoue</u> provided by the Examiner is purely speculative, as the Examiner has not shown a citation to the prior art. The statements made by the Examiner amount to no more than conclusory statements of generalized advantages and convenient assumptions about skilled artisans. The Examiner cannot contend, with any reasonable certainty, that the stated motivation to combine is the knowledge of one skilled in the art. Applicants respectfully submit that the motivation to combine has been artificially created using impermissible hindsight reconstruction and the benefit of the instant disclosure.
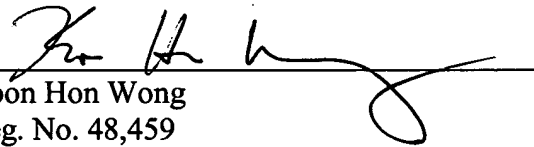
Accordingly, independent claims 1, 14, 24 and 31 are believed to be patentably distinguishable and nonobvious over the combination of <u>Cai</u> and <u>Inoue</u>. The corresponding dependent claims are believed to be allowable for at least the reasons given

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for the independent claims.   Withdrawal of the rejection of 1-11 and 13-33 is respectfully requested.

In view of the foregoing remarks, it is respectfully submitted that all the claims now pending in the application are in condition for allowance. Early and favorable reconsideration is respectfully requested.

Respectfully submitted,

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